

By: Kolkhorst

H.B. No. 3729

A BILL TO BE ENTITLED

AN ACT

relating to the requirements for home-taught driver education courses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 521.205, Transportation Code, is amended by amending Subsection (a) and adding Subsections (e), (f), and (g) to read as follows:

(a) The department by rule shall provide for approval of a driver education course conducted by the parent, stepparent, legal guardian, step-grandparent, or grandparent of a person who is required to complete a driver education course to obtain a Class C license. The rules must provide that:

(1) the person conducting the course possess a valid license for the preceding three years that ~~[and the license]~~ has not been suspended, revoked, or forfeited in the past three years for an offense that involves the operation of a motor vehicle ~~[traffic related violations]~~;

(2) the student driver spend a specified minimum number of hours in:

(A) classroom instruction; and

(B) behind-the-wheel instruction;

(3) the person conducting the course not have been ~~[be]~~ convicted of:

(A) criminally negligent homicide; or

(B) driving while intoxicated; ~~and~~

(4) the person conducting the course not be disabled because of mental illness;

(5) the course curriculum include a comprehensive examination of the course curriculum that must be successfully completed by the student driver in accordance with department rules; and

(6) during the 24 months preceding the date the course begins, the person conducting the course complete and submit a department-approved certificate of completion for not less than six hours of instruction that:

(A) is designed and approved by the department to prepare the person to conduct the course effectively; and

(B) includes instruction in the knowledge, skills, techniques, and methodology to be applied to the classroom instruction and behind-the-wheel phases of the course.

(e) A student driver who takes a driver education course approved under this section may not be exempted from the driving test required by Section 521.161(b)(2).

(f) The department may impose a fee for the approval of a driver education course offered under this section or for the approval of the instruction required under Subsection (a)(6).

(g) The department may not approve a driving safety course approved under Chapter 1001, Education Code, to meet the requirements of Subsection (a)(6).

SECTION 2. Section 1001.251(a), Education Code, is amended to read as follows:

1 (a) A person may not teach or provide driver education,
2 either as an individual or in a driver education school, or conduct
3 any phase of driver education, unless the person holds a driver
4 education instructor license issued by the agency. This subsection
5 does not apply to a person conducting a course under Section
6 521.205, Transportation Code.

7 SECTION 3. The changes in law made by this Act apply only to
8 a driver education course approved by the Department of Public
9 Safety of the State of Texas on or after the effective date of this
10 Act. A driver education course approved by the department before
11 the effective date of this Act is governed by the law in effect
12 immediately before the effective date of this Act, and the former
13 law is continued in effect for that purpose.

14 SECTION 4. This Act takes effect September 1, 2007.